

From: [Miller, Jeff](#)
To: [Young, Jessica](#)
Cc: [Jane Luxton2 \(jane.luxton@lewisbrisbois.com\)](#); [Crossland, Andy](#); [Atagi, Tracy](#); [Tim_hunt@afandpa.org](#); [Noe, Paul](#); [Sarah Yurasko \(syurasko@aslr.org\)](#); [Jo Strang \(jstrang@aslr.org\)](#); [Sean P. Strong](#); [Theresa Romanosky \(tromanosky@aar.org\)](#); [Devin Sprinkle \(dsprinkle@aar.org\)](#); [David Smat \(david.smat@bnsf.com\)](#); [Laura Lynn Mona \(laura.mona@bnsf.com\)](#); [Stephen Smith \(stephen@stephensmithconsulting.com\)](#)
Subject: RE: Follow-up to our meeting on June 21st on our Petition regarding the NHSM rule
Date: Friday, September 30, 2022 3:37:18 PM

Thx Jessica. Please let me know if you need any additional information.

Jeff

From: Young, Jessica <Young.Jessica@epa.gov>
Sent: Friday, September 30, 2022 3:23 PM
To: Miller, Jeff <Jeff_Miller@treated-wood.org>; Crossland, Andy <Crossland.Andy@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>
Cc: Jane Luxton2 (jane.luxton@lewisbrisbois.com) <jane.luxton@lewisbrisbois.com>; Hunt, Tim <Tim_Hunt@afandpa.org>; Noe, Paul <Paul_Noel@afandpa.org>; Sarah Yurasko (syurasko@aslr.org) <syurasko@aslr.org>; Jo Strang (jstrang@aslr.org) <jstrang@aslr.org>; Sean P. Strong <sean.strong@watcoccompanies.com>; Theresa Romanosky (tromanosky@aar.org) <tromanosky@aar.org>; Devin Sprinkle (dsprinkle@aar.org) <dsprinkle@aar.org>; David Smat (david.smat@bnsf.com) <david.smat@bnsf.com>; Laura Lynn Mona (laura.mona@bnsf.com) <laura.mona@bnsf.com>; Stephen Smith (stephen@stephensmithconsulting.com) <stephen@stephensmithconsulting.com>
Subject: RE: Follow-up to our meeting on June 21st on our Petition regarding the NHSM rule

Hi Jeff and all,

Thank you for following up on the meeting regarding EPA's proposed NHSM petition response. We continue to consider carefully the comments we received on the proposal and make progress towards a final rule by next year. As you note, the current regulatory agenda reflects a final decision by May 2023; if that date changes, we will be sure to let you know.

Hope everyone is doing well.

Thanks,
Jessica

Jessica Young
Chief of the Recycling and Generator Branch
Office of Resource Conservation and Recovery
Work Cell: 571-721-9460
NEW Desk phone as of Oct 22: 202-566-0522

From: Miller, Jeff <Jeff_Miller@treated-wood.org>

Sent: Wednesday, September 21, 2022 1:24 PM

To: Crossland, Andy <Crossland.Andy@epa.gov>; Young, Jessica <Young.Jessica@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>

Cc: Jane Luxton2 (jane.luxton@lewisbrisbois.com) <jane.luxton@lewisbrisbois.com>; Tim_hunt@afandpa.org; Noe, Paul <Paul_No@afandpa.org>; Sarah Yurasko (syurasko@aslrra.org) <syurasko@aslrra.org>; Jo Strang (jstrang@aslrra.org) <jstrang@aslrra.org>; Sean P. Strong <sean.strong@watcocompanies.com>; Theresa Romanosky (tromanosky@aar.org) <tromanosky@aar.org>; Devin Sprinkle (dsprinkle@aar.org) <dsprinkle@aar.org>; David Smat (david.smat@bnsf.com) <david.smat@bnsf.com>; Laura Lynn Mona (laura.mona@bnsf.com) <laura.mona@bnsf.com>; Stephen Smith (stephen@stephensmithconsulting.com) <stephen@stephensmithconsulting.com>; Zeb, Tayyaba W. <tayyaba.zeb@sba.gov>

Subject: Follow-up to our meeting on June 21st on our Petition regarding the NHSM rule

Hi Andy, Jessica, Tracy,

I hope the summer of '22 has been good to each of you. Three months ago, we met and reviewed our Petition for changes to the Non-Hazardous Secondary Materials rule for the use of railroad ties as boiler fuel. While we realize that your response to our Petition is scheduled to be finalized by May 2023, we are concerned that come next April we will be advised that the schedule has been pushed back another 6-9 months.

We know that the process involves multiple steps, including reviewing comments, drafting changes and response to comments, interagency review, and finalization of the rule for publication. Could you give us a sense of how we stand today, and the timing of these various steps over the next 8 months?

We don't want to pester you and, of course, understand that you are not in a position to discuss the merit, but we hope you can provide this kind of process information on a regular basis, and will not object to our checking in periodically to see if things are proceeding as planned.

Thank you for considering our request. Look forward to hearing from you.

Jeff

From: Miller, Jeff

Sent: Wednesday, July 13, 2022, 5:03 PM

To: Crossland, Andy <Crossland.Andy@epa.gov>

Cc: Young, Jessica <Young.Jessica@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>

Subject: TWC Annual Meeting Invitation

Hi Andy,

Thanks for getting back to me so quickly. We understand. Your idea of a virtual meeting has great merit. Let's stay in touch. If anything changes between now and November, we can always find a

way to put you, or Jessica, or Tracy onto the Agenda.

Have a great summer.

Jeff

From: Crossland, Andy <Crossland.Andy@epa.gov>
Sent: Wednesday, July 13, 2022 3:54 PM
To: Miller, Jeff <Jeff_Miller@treated-wood.org>
Cc: Young, Jessica <Young.Jessica@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>
Subject: Invitation

Jeff,

Thank you very much for inviting us to speak at your annual meeting. Given the current status of the NSHM petition response, I am not sure what information we would be able to offer in November beyond what we've already discussed. Perhaps instead we could arrange a virtual meeting with your members once the final response is published? We are currently on track to finalize the petition response by May 2023.

Best,
Andy

Andy Crossland (he/him/his)
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Office of Land and Emergency Management
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From: Miller, Jeff <Jeff_Miller@treated-wood.org>
Sent: Monday, July 11, 2022 4:39 PM
To: Crossland, Andy <Crossland.Andy@epa.gov>
Cc: Young, Jessica <Young.Jessica@epa.gov>
Subject: Invitation to speak at the Treated Wood Council 2022 Annual Meeting

Hi Andy,

We are assembling the elements of our TWC 2022 Annual Meeting, and would like to invite you (or your designee) to give an update presentation on the NHSM Petition rule. You would be on our Program for the afternoon of Thursday, November 17th at the Embassy Suites Old Towne, in Alexandria, VA.

This petition is a very important issue, as it falls in line with so many of EPA's and the

Administration's priorities. Please let me know if we can put you on the Agenda, and contact me if you have any questions.

Jeff

202-641-5427